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e) presenting a payoff amount according to a number of consecutive wins (or losses) achieved by the player making the bet and based on pre-programmed payoff odds which correspond to the number of consecutive wins (or losses); and

f) paying the player when the player has achieved a number of consecutive wins (or losses) regardless of whether the player has selected a specific number of consecutive wins at a predetermined payoff amount or is attempting to win without pre-selecting a given number of wins for a payoff determined by the number of consecutive wins rather than having any relationship to a predetermined number of wins selected by the player; and

g) associating a marker with the side bet made by the player each time the player making the side bet at step (b) achieves another consecutive win (or loss) to identify the current number of wins (or losses).

REMARKS

Claims 1-45, 49 and 50 are pending in this application. Claims 46-48 are withdrawn from consideration as being directed to non-elected invention. Claims 1, 2, 4, 11, 15, 16, 17, 18, 19, 21, 22, 24, 30, 38, 42, 45 and 49 have been amended.

The Examiner required amend of the abstract. When this application was submitted on June 8, 1999, the allowable abstract length, under 37 § C.F.R. 1.72(b), was 250 words. Nonetheless, it has been shortened to the requested maximum of 150 words.

The noted informality to claim 45 has been addressed. The noted rejections under 35 U.S.C. § 112 were addressed and the applicable claims amended were necessary.

The Examiner, it is respectfully submitted, based all rejections on some combination of Sines et al. (6,165,069) and Filiberti (5,819,901). It is respectfully submitted that these references reject each other as a combination and the Examiner's combination, even if possible, can only be made in light of the Applicants' disclosure.

Sines et al does not comprehend any physical or mechanical valuation of chips. Rather, they merely detect a presence and rely upon electronic coding to determine value. See the '069 reference at column 11 line 51 et seq.

The Filiberti method is limited to theft control during coin counting. There is no suggestion or comprehension of any active game activity. It is necessary for the Filiberti method to know the appropriate weight of the coin used in the machine. The number of coins is then calculated according to the formula listed in col. 9, line 34, and in Fig. 8. There is no provision within the Filiberti patent that more than one particular kind of coin may be used at a time. However, within the Applicants' invention, multiple coins and coins of

multiple denominations may be used. Hence, it is not appropriate to combine these two references.

While it may be true that U.S. coins have different weights, it is important to the Applicants' invention that the coins have different weights in such a way that no sum of any plurality of chips is equal to the weight of any other chips or combination of chips, eventhough two groups of chips may have the same monetary value. The Applicants respectfully suggest that this is not obvious in light of the historical tradition of determining that a value of one particular coin is proportional to its weight. For example, precious metal coins that weigh twice as much as coins made out of the same metal have historically been worth twice as much within any currency system. The legacy of this system is still found in U.S. legal coinage. For example, a half dollar (weighing 11.34 grams) is equal to twice the weight of a quarter (weighing 5.67 grams) and to five dimes (weighing 2.27 grams). Hence, if Applicants' invention would be used with U.S. coins, it would be impossible to tell the difference between weighing of a half a dollar, or two quarters, or five dimes. Although this would not necessarily be a problem in most applications, the needs in the gaming industry indicate that each casino needs to know how many of each chips have been used.

Furthermore, it is not immaterial to differentiate between the coin weights. For example, a recent U.S. penny, according to specifications, weighs 2.50 grams, which is

exactly half of the specification for nickel of 5.00 grams. Hence, it would not be possible to state if a net weight of 20.0 grams is worth 20, 17, 14, 11 or 8 cents. This type of confusion where a weight of one group of one denomination of coins equals the weight of another group of coins of another denomination, but the sums of their face value are not equal, is not limited to U.S. coinage, but is actually fairly prevalent throughout many coinage systems. For example, in the Euro system, it would be impossible to know if 27.6 grams is worth 0.18, 0.16, 0.14 or 0.12 Euros, if 23.0 grams is worth 0.80, 0.45 or 0.10 Euros. This lack of differentiation would render the claimed betting system impractical.

Still furthermore, the use of coins present still other problems. The weights of many coins have traditionally not been consistent. For example, the Lincoln penny weight changed in February 1943, in January 1944, in 1962 and again in 1982, with all of these being legal tender, concurrently, and overlapping mean life expectancies of 30 yrs. The weight of a U.S. nickel has also varied over time. Thus, the use of U.S. currency actually teaches one away from Filiberti and further teaches against any combination with Sines. et al.

Claims 38 and 39 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 42 and 44 of U.S. Patent 5,788,574

Applicant: Ornstein et al.
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in view of Sines et al. Applicants traverse this holding because Sines et al. is not directly combinable with the '574 patent for reasons noted above.

Claims 11, 14-24, 25-28 and 40-45 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 7, 9-13, 15-17, 19, 22, 23, 25, 28 of U.S. Patent 5,788,574 in view of Sines et al. and further view of Filiberti. Applicants respectfully traverse these rejections for the reasons outlined above.

It is respectfully requested that the filing of formal drawings be delayed until there is allowance of the claims.

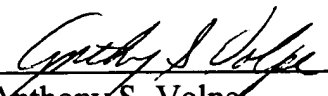
If the Examiner believes a conference, in person or telephonically, will place the application in condition for allowance, the Examiner is respectfully invited to get in contact with the undersigned by telephone at the Examiner's earliest convenience.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration, submit that the present application is in condition for allowance, and respectfully request allowance of claims 1-45, 49 and 50.

Respectfully submitted,

Ornstein et al.

Volpe and Koenig, P.C.
Suite 400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103
ASV/PDM/djw

By 
Anthony S. Volpe
Registration No. 28,377
(215) 568-6400

Application No.: 09/305,562
Examiner: Aaron J. Capron



**37 CFR §1.121(b)(1)(iii) and (c)(1)(ii) SPECIFICATION
AND CLAIM AMENDMENTS- MARKED UP VERSION**

IN THE ABSTRACT

A gaming method and apparatus enabling a casino to track the average amount that a player bets at a gaming table, the total amount [a] of player bets at a gaming table (handle) and the player's win/loss experience, by [precisely] measuring and recording into an electronic file each players bet at each betting station of each table a player frequents. [Players who want to receive the benefits of casino rated play will be given a magnetically encoded card or key to be inserted into or swiped through the betting box by the player. The table action of players without a card/key will be added to the collective table action of identified players by creating an electronic file(s) for unidentified players. The card/key can remain in the betting box for continued player identification. Once the card/key is removed, the action will be contributed to the unidentified player file, until a subsequent card is inserted.] The exact amount of each player's bet will be measured by the total chip weight of the relevant bet via assigning a specific weight to each chip denomination wherein no two groups of chips in which [the] a total number [of] chips are different from one another have the same total weight, even though their monetary values [values are] may be the same.

IN THE CLAIMS

1. (Amended) A betting system for use in the play of a game employing a game playing surface having a plurality of player positions, said system comprising:

an area provided at each player location for receiving betting chips;

said area having weighing means for determining the weight of chips placed thereon;

said betting chips employed in said system comprising a plurality of different denominations, each denomination having a weight which is different from every other denomination and being selected so that no combination of betting chips have a total weight range which equals the weight of any one betting chip.

2. (Amended) The betting system of claim 1, wherein the range of weights of the betting chips are further selected so that a first group of chips whose denominations total a given monetary value has a weight which is different from a second group of betting chips whose total monetary value is equal to said given value and wherein said second group comprises a greater number of betting chips than said first group.

4. (Amended) The betting system of claim 3 wherein said chips of one, five, twenty-five and one-hundred monetary units have mid-range weights of x units [10.30]; x+1unit [11.30]; x+6.4 units [16.7]; and x+26.3 units [36.8 grams], respectively.

11. (Amended) A method of incorporating one of a conventional bet, consecutive win side bet and a progressive bet into a game of chance utilizing betting chips of different denominations, [a weight of] each [different] chip of a denomination being of a different [from a] weight from [of] every other chip denomination, said method comprising the steps of:

- a) at least one player wagering at least one chip to participate in the game of chance;
- b) said at least one player [making the wager of step (a)] further wagering at least one chip on a consecutive wins or losses bet;
- c) determining the weight of the [chip wagered at] step (b) wager;
- d) converting the weight determined at step (c) to a monetary value;
- e) presenting a display of a payoff amount according to [the number of consecutive wins selected in step (b) and the monetary amount of the wager made in step (a),

and based on] pre-programmed payoff odds which correspond to different values of the prospective consecutive wins or losses of step (b); and

f) providing a winning indication when [the player making the side bet wager wins a consecutive number of games played which is equal to the] number of consecutive wins or losses originally selected in step (b) is equaled.

15. (Amended) The method of claim 11 [wherein step (b)] further comprising [comprises]:

g)[h)] covering the consecutive wins bet made during step (b) within a receptacle during a consecutive win play period.

16. (Amended) The method of claim 15 further comprising:

h)[i)] uncovering the bet covered during step (g) [(h)] when either a player has achieved a number of consecutive wins equal to a [the] selected number or when a player loses a game prior to achieving the selected number of consecutive wins.

17. (Amended) The method of claim 16 further comprising flashing said display generated during step (e) [(c)] when a player having made the bet of step (a) has won a number of consecutive games equal to the selected wins number.

18. (Amended) The method of claim 17 [7] wherein step of flashing said [the] display further includes making an audible alarm contemporaneously with flashing of said display.

19. (Amended) The method of claim 11, further comprising:

(g) [(h)] determining the weight of the chip wagered in step (a);

(h) [(i)] converting the weight of the chip determined in step (g) [(h)] into a monetary value; and

(i) [(j)] storing the value obtained at step (h) [(i)] for subsequent analysis.

21. (Amended) The method of claim 19 wherein at least two chips are wagered at step (b) and further comprising:

(j) [(k)] performing steps (g) [(h)] and (h) [(i)] for each chip in sequential fashion; and

(k) [(l)] summing the monetary values obtained to determine the total monetary value.

22. (Amended) The method of claim 11 wherein at least two chips are wagered at step (a) and further comprising:

(g) [(k)] determining a total weight of the chips wagered during step (a); and

(h) [(l)] determining the monetary value of the total weight obtained in step (g) [(k)].

24. (Amended) The method of claim 22 [wherein step (k)] further comprising [comprises]:

(i) [(m)] converting the total [a] weight to into an analog signal and converting the analog signal into a digital signal for use at step (h) [(l)].

30. (Amended) The combination of claim 29 wherein all of said chips, regardless of weight, are [or] [""] the same size.

38. (Amended) A betting unit comprising:

a chip receptacle;

a transparent cover moveable between a first position above said chip receptacle and second position displaced from said chip receptacle;

a housing for said chip receptacle having an opening above said chip receptacle and a surrounding marginal lip extending inwardly from said opening;

elevator means for movably supporting said chip receptacle between an upper and a lower position respectively closer to and further away from said housing opening;

drive means;

first means responsive to operation of said drive means for moving said cover between said first and second positions;

second means responsive to operation of said drive means for moving said elevator means between said upper and said lower positions, said first and second means being so interrelated as to lower said chip receptacle when said cover [voer] is being moved to said first position, raise said elevator when said cover reaches said first position, to press a marginal notch in said cover into engagement with the marginal lip of the housing and lower the elevator to provide clearance for said cover when being moved from said first position to said second position; and

said chip receptacle including a weighing sensor for determining a weight of a chip placed thereon.

42. (Amended) The method of claim 11 wherein the game of chance is poker and further including the steps of:

g) providing an indication of initiation of a game when at least one player has performed steps (a) and (b);

h) covering the chip or coin wagered during step (b) responsive to the indication provided at step (e) [(h)];

i) dealing each player who has performed at least step (a) and a [the] dealer with a given number of cards;

j) paying off winning players and removing all wagers made at step (a) for all losing players;

k) providing a Loss button at each player's position;

l) operating a Loss button at a player's position of a player who has performed step (b) and has lost a game; and

m) removing the display of the player whose Loss button was operated at step (l) [(m)] and removing the wager made by said player during step (b).

43. (Amended) The method of claim 11 wherein the game of chance is craps and further including the steps of:

- g) paying off winning players and removing all wagers made at step (a) for all losing players at an end of a game; and
- h) providing a Loss button at each player's position; and
- i) operating a Loss button at a player's position of a player who has performed step (a) and has lost a game; and
- j) removing the display of the player whose Loss button was operated at step (i) [(k)] and removing the wager made by said player during step (b).

45. (Amended) The method of claim 11 wherein the game of chance is roulette and further including the steps of:

- g) providing an indication of initiation of a game when at least one player has performed step (a);
- h) covering the chip or coin wagered during step (b) responsive to the indication provided at step (f) [(h)];
- i) operating a roulette wheel;

- j) paying off winning players and removing all wagers made at step (a) for all losing players;
- k) providing a Loss button at each player's position;
- l) operating a Loss button at a player's position of a player who has performed step (b) [and (b)] and has lost a game; and
- m) removing the display of the player whose Loss button was operated at step (l) [(m)] and removing the wager made by said player during step (b).

49. (Amended) A method of incorporating one of a consecutive win (or loss) side bet into a game of chance utilizing betting chips of different denominations, a weight of each different chip denomination being different from a weight of every other chip denomination, said method comprising the steps of:

- a) at least one player wagering at least one chip to participate in the game of chance;
- b) said player making the wager of step (a) further wagering at least one chip or said side bet;
- c) determining the weight of the chip wagered at step (b);
- d) converting the weight determined at step (c) [(d)] to a monetary value;

e) presenting a payoff amount according to a number of consecutive wins (or losses) achieved by the player making the bet and based on pre-programmed payoff odds which correspond to the number of consecutive wins (or losses); and

f) paying the player when the player has achieved a number of consecutive wins (or losses) regardless of whether the player has selected a specific number of consecutive wins at a predetermined payoff amount or is attempting to win without pre-selecting a given number of wins for a payoff determined by the number of consecutive wins rather than having any relationship to a predetermined number of wins selected by the player; and

g) associating a marker with the side bet made by the player each time the player making the side bet at step (b) achieves another consecutive win (or loss) to identify the current number of wins (or losses).